

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:11-CV-523-GCM

D'ORI ME'IRA EL-BAY, )  
Plaintiff, )  
 )  
vs. ) ORDER  
 )  
WALMART SUPERCENTER )  
STORE 5063, et al, )  
Defendant. )  
 )

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**THIS MATTER** is before the Court upon the Plaintiff's Motion to Proceed *in forma pauperis* filed October 20, 2011 [doc. 2].

Federal law requires that a Plaintiff in a civil action pay a filing fee in the amount of \$350.00, plus service fees and other costs. After reviewing the Plaintiff's Application, the Court concludes that the Plaintiff is unable to pay the filing fee.

Moreover, the court has reviewed the *pro se* Plaintiff's Complaint. It is clear to the court that this matter has no basis for federal jurisdiction. Therefore the Court will dismiss the Complaint.

IT IS THEREFORE ORDERED THAT:

- 1) Plaintiff's application to proceed *in forma pauperis* is hereby GRANTED solely for the purpose of conducting a review on the merits of the civil action;
- 2) The Clerk shall file this matter as a civil matter without the service of process; and
- 3) The Complaint is DISMISSED pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

Signed: December 1, 2011



Graham C. Mullen  
United States District Judge

